

IN THE CIRCUIT COURT FOR SUMTER COUNTY, FLORIDA

SUMTER COUNTY, FLORIDA,	)	
	)	
Petitioner,	)	
	)	
vs.	)	CASE NO. 2005-CA-001368
	)	
SHIRMIK ENTERPRISES LTD. INC.,	)	Parcel No. 115
et al.	)	
	)	
Respondents.	)	
	)	

---

**STIPULATED FINAL JUDGMENT FOR EXPERT FEES AND COSTS  
AND ATTORNEYS' COSTS CONCERNING PARCEL 115**

THIS CAUSE came to be considered pursuant to the attached Joint Motion to Enter Stipulated Final Judgment for Expert Fees and Costs and Attorneys' Costs Concerning Parcel 115 filed by Petitioner Sumter County (the "County") and Respondents Betty Jo Leatherman and Donald Leatherman ("Respondents"). Upon reviewing the motion and the file, and being otherwise fully advised in the premises, the Court

**ORDERED AND ADJUDGED:**

1. The attached Joint Motion to Enter Stipulated Final Judgment Concerning Parcel 115 is hereby **GRANTED**.

2. Within 30 days from the actual date of receipt by the County's counsel of a conformed copy of this Stipulated Final Judgment, the County shall pay Respondents (by check payable to the Trust Account of Thomas P. Callan, P.A., 921 Bradshaw Terrace, Orlando, FL 32806) the total amount of \$47,551.60, concerning Parcel 115 for the following:

(a) \$42,963.00, in full and complete satisfaction of any and all claims for expert fees and costs concerning Parcel 115, pursuant to Section 73.091, Florida Statutes; and

(b) \$4,588.60, in full and complete satisfaction of any and all remaining claims for attorneys' fees and costs concerning Parcel 115 including, but not limited to, attorneys'

fees and costs incurred for supplemental proceedings, pursuant to Section 73.092, Florida Statutes.

3. There are no remaining issues to be decided by the Court, and therefore, this matter is now concluded.

**DONE AND ORDERED**, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, in chambers in Bushnell, Sumter County, Florida.

\_\_\_\_\_  
CIRCUIT COURT JUDGE

Conformed Copies to:

Vivian Arenas-Battles, Esq.  
Thomas P. Callan, Esquire  
G. Robertson Dilg, Esquire  
Timothy A. Dix, Esquire  
Thomas Swain, Sumter County Tax Collector

**JOINT MOTION TO ENTER STIPULATED FINAL JUDGMENT FOR EXPERT  
FEES AND COSTS CONCERNING PARCELS 109 AND 802**

Petitioner Sumter County, Florida and Respondents Betty Jo Leatherman and Donald Leatherman, by and through their respective undersigned attorneys, hereby stipulate to, and move the Court to enter, the foregoing Stipulated Final Judgment for Expert Fees and Costs and Attorneys' Costs Concerning Parcel 115.

\_\_\_\_\_  
David M. Caldevilla, FBN 654248  
Vivian Arenas, FBN 606261  
de la Parte & Gilbert, P.A.  
Post Office Box 2350  
Tampa, Florida 33601 2350  
Telephone: (813)229 2775  
COUNSEL FOR SUMTER COUNTY

\_\_\_\_\_  
Thomas P. Callan, FBN  
G. Robertson Dilg, FBN  
Timothy A. Dix, FBN  
921 Bradshaw Terrace  
Orlando, FL 32806  
Telephone: (352)732-3915  
COUNSEL FOR LEATHERMAN

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that a copy of the foregoing was served by **Facsimile and U.S. Mail** on Thomas P. Callan, Esquire, G. Robertson Dilg, Esquire and Timothy A. Dix, Esquire, 921 Bradshaw Terrace, Orlando, FL 32806, Counsel for the Leathersmans; and Thomas Swain, Sumter County Tax Collector, 209 North Florida St., Bushnell, FL 33513; on this \_\_\_\_ day of September, 2009.

\_\_\_\_\_  
Vivian Arenas-Battles

cc: Judge Hallman's Judicial Assistant

202928v1

**Arnold, Bradley**

**From:** Vivian Arenas [varenas@dgfirm.com]  
**Sent:** Saturday, September 12, 2009 10:40 PM  
**To:** Kuhl, Gary; Arnold, Bradley; derrill@hoganlawfirm.com  
**Cc:** Susan L. Levine  
**Subject:** FW: US 301 - Leatherman Parcel 115  
**Attachments:** Stipulated Final Judgment re Expert Fees and Costs.pdf

Gentlemen, please let me know if this will be presented to the next BOCC meeting. According to my calendar, I think the next BOCC meeting is September 22, 2009? Thanks .

**From:** Vivian Arenas  
**Sent:** Thursday, September 10, 2009 3:24 PM  
**To:** 'Kuhl, Gary'; Arnold, Bradley; 'Derrill McAteer'  
**Cc:** Susan L. Levine  
**Subject:** FW: US 301 - Leatherman Parcel 115

Gary, Brad and Derrill, we have reached a settlement with the Leathermans (subject to BOCC approval) as to expert fees and costs and attorneys' costs. Attached is a proposed stipulated final judgment for BOCC approval. The proposed settlement broken out by expert is as follows:

Expert	Invoice Amount	County Authorized Settlement Offers	Proposed Settlement
Richard Dreggors, GAA (Appraiser)-all fees are for pre-mediation services.	\$18,985	\$16,000-18,000	\$17,500
Edward J. Williams (Land Planner) --all fees are for pre-mediation services.	\$5,280	\$4,885-5,280	\$4,885
Allen H. Angus( General Contractor)-2.25 hours at \$140.00 are for services after mediation	\$5,145	\$4,593-5,145	\$4,793
DMA Engineering, Inc. (Engineer)-pre-mediation services from 12/22/05 to 9/25/08	\$9,748.25	\$7,000-8,285	\$8,285
DMA Engineering, Inc. (Engineer)-post mediation services from 10/13/08 to 3/9/09. Also, \$1,950 of total amount is for septic permit and site plan application fee	\$9,400.25	Up to \$7,500*Mediation agreement stated we would not pay more than this for expert services related to obtaining site approval	\$7,500
Attorney Costs	\$4,588.60	\$4,588.60	\$4,588.60

The total settlement amount is \$42,963 for expert fees and costs and \$4,588.60 for expert costs. Please present the stipulated final judgment to the BOCC for approval at its next regularly scheduled meeting. Thanks

9/13/2009